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Attorney Docket 920476-904876

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TO: (571) 273-6317

DATE: September 28, 2005

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TO: **Commissioner for Patents -**

ATTN **Examiner H. Nguyen**

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Attached: Resubmission of Response

If you do not receive all pages, please contact William M. Lee, Jr. at (312) 214-4800 or his assistant, Minnie Wilson at (312) 214-4829

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CHDS01 WLEE 288479v1

Attorney Docket 920476-904876

BARNES & THORNBURG LLP

P.O. Box 2786
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Attached: Response to Final Office Action Mailed June 28, 2005

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920476-904876 **MAIL STOP AF**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of	:	P. Kirkby
Serial No.	:	09/750,903
Filed	:	December 28, 2000
For	:	Traffic Flow Management in a Communications Network
Examiner	:	H. Nguyen
Art Unit	:	2142
Customer number	:	23644

I hereby certify that this correspondence is being transmitted to the above - identified Examiner at the United States Patent and Trademark Office 571-273-8300 on August 25, 2005.
Name of person signing: Minnie Wilson
Signature: Minnie Wilson

RESPONSE TO FINAL OFFICE ACTION MAILED JUNE 28, 2005

Honorable Director of Patents and Trademarks
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Final Office Action mailed June 28, 2005, applicant makes the following submission:

measurement and a bandwidth variance measurement of said aggregated traffic flow;

price computation means for determining from said mean bandwidth and variance measurements a price for bandwidth and a separate price for variance;

a second traffic flow sampler for sampling the traffic flow to be admitted to the network resource to measure its mean bandwidth and variance; and

means for applying to said traffic flow the separate prices for bandwidth and variance as a means of controlling admission of the traffic flow to the network resource.

30. (previously presented) The network manager of claim 29, wherein the price computation means determines the price for bandwidth as a price for unit bandwidth and the price for variance as a price for unit variance.

31. (previously presented) The network manager of claim 29, wherein the price computation means provides a total price for admission of the traffic flow to the network resource to an admission controller of said traffic flow, said total price comprising the sum of the following products: i) the measured mean bandwidth of the traffic flow times the price per unit bandwidth for using the network resource; and ii) the variance of the traffic flow times the price per unit variance for using the network resource.

32. (previously presented) The network manager of claim 29, wherein the network manager defines respective maximum control limits for both the mean bandwidth and bandwidth variance components of the aggregated traffic flow on the network resource, and wherein said manages increases at least one of said price for bandwidth and price for variance as any of the mean bandwidth and variance measurements of said aggregated traffic flow approaches its respective limit.